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**Third Committee**

**Summary record of the 43rd meeting**
Held at Headquarters, New York, on Thursday, 11 November 1999, at 3 p.m.

*Chairman*: Mr. Galuška ..... (Czech Republic)

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*The meeting was called to order at 3.25 p.m.*

**Agenda item 112: Promotion and protection of the rights of children** (*continued*) (A/C.3/54/L.46 and L.49)

*Draft resolution A/C.3/54/L.46: The girl child*

1. **The Chairman** announced that Antigua and Barbuda, Austria, Belarus, Belize, Benin, Burkina Faso, Cambodia, Ghana, Grenada, India, Jamaica, Madagascar, Panama, the Republic of Korea, the Republic of Moldova, Saint Vincent and the Grenadines, San Marino, Spain, Uganda and Uzbekistan had become sponsors of draft resolution A/C.3/54/L.46. The draft resolution contained no programme budget implications.

2. *Draft resolution A/C.3/54/L.46 was adopted.*

*Draft resolution A/C.3/54/L.49: The rights of the child*

3. **The Chairman** said that the draft resolution contained no programme budget implications, but pointed out that the statement from the controller read out at the 41st meeting with regard to draft resolution A/C.3/54/L.50 applied to draft resolution A/C.3/54/L.49 as well.

4. He announced that Cambodia, Congo, Equatorial Guinea, Eritrea, Ghana, Indonesia, Jamaica, Malawi, Mozambique, Swaziland, Togo, Uganda, the United Republic of Tanzania, and Zimbabwe had become sponsors of draft resolution A/C.3/54/L.49.

5. *Draft resolution A/C.3/54/L.49, was adopted.*

6. **Ms. Lee** (Singapore), speaking in explanation of position after the adoption of draft resolution A/C.3/54/L.49, said that while Singapore supported the general thrust of the draft resolution, it had once again been unable to sponsor it. Operative paragraph 2 of the resolution urged States parties to regularly review any reservations with a view to withdrawing them. The Vienna Convention on the Law of Treaties drew a distinction between permissible and non-permissible reservations, based on their compatibility with the object and purpose of relevant treaties. Reservations were explicitly allowed if compatible with the object and purpose of the relevant convention. Moreover, under article 51, paragraph 2, of the Convention on the Rights of the Child only reservations incompatible with its object and purpose were not permitted. In other words, it allowed for permissible reservations.

7. Singapore felt that it was thus highly inappropriate to suggest that States parties should be obliged to regularly review permissible reservations, with a view to withdrawing them. The purpose of reservations was to encourage early accession to international treaties, allowing flexibility in the compliance of States parties with their obligations under those treaties. The fact that some 50 countries had made reservations in respect of the Convention on the Rights of the Child did not imply their failure to support the objectives of the Convention. Rather, such reservations reflected their particular national situations. Had they been unable to make reservations, those countries might not have acceded to the Convention at all.

8. Singapore was concerned about an apparent trend to discourage reservations. If certain treaty obligations could not be the subject of a reservation, then the treaty or convention itself should expressly prohibit it. Singapore's position on the issue of permissible reservations applied to all such resolutions.

9. **Mr. Gallagher** (United States of America) said that his delegation regretted not having been able to sponsor the resolution, but had joined the consensus in view of the importance that it attached to protection of children's rights. It was essential to implement existing norms to prevent further abuse and brutalization of children in conflict situations, ensuring adherence to and the raising of existing standards in that regard.

10. His delegation noted the standard-setting exercise being carried out by the working group on a draft optional protocol to the Convention on the Rights of the Child on the involvement of children in armed conflicts and looked forward to negotiations on that matter. Until a new standard had been set, the phrase "the use of children as soldiers", contained in operative paragraph 12 of section III should be interpreted under general international law and under the provisions of article 77 of Additional Protocol I of 1977 to the Geneva Conventions of 1949 and article 38 of the Convention on the Rights on the Child.

11. His delegation regretted the lack of clarity of paragraph 12 of section III of the draft resolution on that point. Consensus had been possible because operative paragraph 6 of section III established the overall context for that section, reaffirming existing standards as reflected in the Geneva Conventions of 1949 and the 1977 additional protocols thereto. Lastly, his delegation noted with satisfaction the adoption of International Labour Organization (ILO) Convention 182, which had language on the use of children as soldiers, together with Security Council resolution 1261 (1999) on children and armed conflict. It was regrettable that the General Assembly had chosen not to reflect those developments.

12. **Ms. Smolcic** (Uruguay) welcomed the consensus on the draft resolution, thanked all those who had contributed to the discussion, and noted in particular the flexibility and unflagging efforts of the delegations of Finland and Austria.

13. **The Chairman** proposed that the Committee should recommend to the General Assembly that it take note of the report of the Secretary-General on the status of the Convention on the Rights of the Child, contained in document A/54/265.

14. *It was so decided.*

**Agenda item 116: Human rights questions** (*continued*)

**(a) Implementation of human rights instruments** (*continued*) (A/C.3/54/L.53)

**(b) Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms** (*continued*) (A/54/93, 137, 216, A/54/222 and Add.1, A/54/303, 319, 336, 360, 386, A/54/399 and Add.1, A/54/401, 439 and 491)

**(c) Human rights situations and reports of special rapporteurs and representatives** (*continued*) (A/54/188, 302, A/54/330-S/1999/959, A/54/359, 361, 365, 366, 387, A/54/396-S/1999/1000, A/54/409, 422, 440, 465-467, A/54/482, A/54/493 and A/54/499; A/C.3/54/3 and 4)

**(d) Comprehensive implementation of and follow-up to the Vienna Declaration and Programme of Action** (*continued*)

**(e) Report of the United Nations High Commissioner for Human Rights** (*continued*) (A/54/36)

*Draft resolution A/C.3/54/L.53: International Convention on the Protection of the Rights of All Migrant Workers and Their Families*

15. **The Chairman** announced that Nicaragua, Portugal and Yemen had become sponsors of draft resolution A/C.3/54/L.53, which contained no programme budget implications.

16. *Draft resolution A/C.3/54/L.53 was adopted.*

17. **The Chairman** invited the Committee to continue its general discussion of sub-items (b), (c), (d) and (e) of agenda item 116.

18. **Mr. Zmeevski** (Russian Federation) said that human rights issues should be a factor which brought peoples, States and civilizations closer together, and should not be used as a pretext or justification for illegal actions which bypassed the Charter of the United Nations and were carried out without the authorization of the Security Council. It was not hard to foresee the destructive consequences which "armed humanitarianism" could have for the protection of human rights, the development of democracy, and ultimately, the fate of the world.

19. A clear example was the Kosovo crisis. It was obvious that the way out of the Kosovo stalemate and the prevention of a humanitarian disaster lay in strict and consistent implementation of Security Council resolution 1244 (1999). His delegation shared the view of the United Nations High Commissioner for Human Rights that in Kosovo "special attention must be given to the protection of all communities and the establishment of a civil society based on the rule of law and respect for human rights" (A/54/36, para. 11). It was crucial that there should be no distortion of those words when they were translated into action. Otherwise, not only would faith in the capability of United Nations human rights bodies be shaken, but the whole of Europe could find itself on the brink of a new catastrophe.

20. Terrorism, aggressive nationalism and separatism posed a real danger to democracy, human rights and development. The human rights machinery of the United Nations, including special procedures, must be adapted as a matter of urgency to address the problems which gave rise to those types of human rights violations. Otherwise, it would hardly be possible to talk of attaining the goal of the universal observance of human rights. The report of the High Commissioner (A/54/36, para. 113) referred to the prevention of violations as the most effective means of ensuring human rights protection. The basis for a strategy of prevention must be depoliticization of United Nations human rights activities, and elimination of double standards and selective approaches.

21. In his report on the work of the Organization (A/54/1, para. 19), the Secretary-General had referred to the widespread rise of "identity politics". The artificial cultivation of politics based on "ethnic homogeneity" was sowing the seeds of future humanitarian disasters and crises, which the early warning system of the United Nations was designed to prevent. Ethnic cleansing and inter-ethnic conflicts stemmed from denial of the simple truth that all people were equal in their dignity and rights.

22. Although many European States had given equal legal status to the languages spoken by large ethnic communities, in north-east Estonia, where Russians constituted 80 to 90 per cent of the population, the Russian language was officially excluded from the sphere of official

communication. In Latvia, the new law on the State language gave Russian the status of a foreign language, even though it was the mother tongue of 40 per cent of the population. It was difficult to understand why the glaring discrimination against Russians and others living in Latvia and Estonia was being stubbornly ignored. The Russian Federation would insist that Latvia and Estonia should correct their approaches to human rights issues in accordance with the requirements laid down by the United Nations, the Organization for Security and Cooperation in Europe and the Council of Europe.

23. The potential of the United Nations and its Charter for humanizing and democratizing international relations was far from exhausted. Efforts in that direction would be given great impetus by the proposal put forward by President Yeltsin in June 1999 for formulating a concept of peace in the twenty-first century, with a view to creating a new culture of peace in which the top priority would be a world without wars and conflicts, with human rights for everyone. States must unite their efforts to achieve that goal, and must work out an integral strategy on the basis of steadfast observance of the requirements of the Charter and international law. It was to be hoped that the Committee and other United Nations human rights bodies would make a substantial contribution to that undertaking.

24. Concerns had been expressed about the situation in the Chechen Republic of the Russian Federation. It was the Russian Federation itself that was the most concerned about the events there. Gross and mass human rights violations had been going on for too long, and with impunity, in and around the territory of Chechnya. After the incursion of armed bands into Dagestan, and the inhuman massacres of innocent people in Moscow, Volgodonsk and Buinaksk, the need to protect democracy and the rule of law in the Russian Federation from the shock forces of international terrorism had become obvious. His Government had had no other choice. It was precisely to free the Chechen people from the yoke of terrorism and lawlessness that Russian soldiers were now risking their lives.

25. The Russian forces were under strict instructions to avoid civilian casualties. Since there were minimal civilian casualties and damage to housing in the liberated districts, making it possible for people to return to their homes, it was clear that those instructions were being carried out. Naturally, his Government had no reliable information about the situation in the territories controlled by the bandits.

26. Attempts were now being made to create the impression that there was a humanitarian disaster in the northern Caucasus. That hackneyed scenario had also been used in the Balkans to exert pressure on the Russian Federation. In reality, there was no humanitarian disaster in the northern Caucasus, and there would be no such disaster. The Russian Federation had sufficient strength and resources to prevent it. At the same time, it was not refusing assistance from international humanitarian organizations, a number of which had already started work. The Russian Federation was prepared to cooperate with all those who regarded the events in Chechnya not as another round in a global geopolitical game, but as an insolent challenge to Russian democracy by the forces of international terrorism.

27. **Mr. Tessema** (Ethiopia) said that the world continued to witness flagrant human-rights violations, particularly in situations of armed conflict. Eritrea's aggression against Ethiopia was a case in point. The Eritrean Government had unleashed unprovoked aggression against Ethiopia, attacking civilian targets and cultural sites. Eritrean forces had bombed densely-populated towns, killing and maiming civilians, desecrating churches and deliberately destroying Ethiopia's social and economic infrastructure. People living in occupied areas had no access to health care or education, while thousands of displaced persons were sheltering in relief centres and mountain hideouts.

28. Eritrea continued to lay anti-personnel landmines along its borders with Ethiopia, claiming the lives of innocent civilians and killing and injuring vast numbers of animals. Large tracts of agricultural land had been laid waste. Ethiopians living in the occupied areas had been forced to adopt Eritrean nationality or face confiscation of their land and property and the denial of the right to gain their livelihood. Young men in those areas had been conscripted into the invading army and forced to fight against their own country.

29. The Eritrean regime held thousands of Ethiopian nationals hostage in a situation of extreme deprivation. Civilians were being held against their will and faced the prospect of summary execution, torture, arbitrary detention, rape and systematic intimidation. Thousands of Ethiopian nationals were detained in Eritrean camps, while others had been dumped on the border with Ethiopia. Well over 45,000 Ethiopian civilians had been deprived of their property, beaten and tortured before being expelled from Eritrea. A concerted hate campaign against Ethiopians had been spearheaded by the Eritrean police. The Eritrean Government itself incited mob violence against Ethiopian civilians.

30. The Eritrean regime had failed to disclose information concerning the whereabouts of Ethiopian prisoners of war and civilian detainees. Recent information suggested that the

regime had stepped up its campaign of mass detention, harassment and expulsion. Racism, xenophobia and inhumane treatment of Ethiopian civilians continued to exacerbate the situation. It was imperative that the criminals responsible for such human-rights violations should be tried for crimes against humanity. The Eritrean authorities, the police force and individuals who took part in such atrocities should be forced to answer for the crimes that they had committed against thousands of Ethiopian nationals.

31. **Mr. Oron** (Israel) said that references to Israel had been made in some of the reports and during the consideration of sub-items (b) and (d), some in good faith and some in bad. Certain basic facts had been ignored in some of the remarks. A serious peace process was taking place between the Israelis and the Palestinians. An ambitious timetable for resolving the outstanding issues had been set, and intense negotiations were taking place. Over 90 per cent of the Palestinians living in Gaza and the West Bank lived under the Palestinian Authority. A safe passage corridor was in operation between Gaza and the West Bank. Palestinian prisoners, many of whom had been involved in attacks on innocent civilians, had been released. Further redeployment in the West Bank was expected in the upcoming days.

32. Decisions taken by his Government regarding the dismantling of illegal settlements had been implemented. The Prime Minister of Israel had pledged to withdraw Israeli troops from Lebanon by the summer of 2000, which, it was hoped, would occur in the framework of an agreement between the parties concerned. Israel's Supreme Court played a leading role in protecting human rights and individual freedoms, as in the recent ruling on the interrogation methods of the Israeli security agency. The Israeli Ministry of Justice had proposed legislation to strengthen a 1997 law prohibiting Government agents from using threats, pressure or humiliation to extract information.

33. The Israeli Minister of the Interior had said, on 17 October 1999, that that fact that an East Jerusalemite resided abroad for a number of years would not be cause for revoking his permanent residency status. Human rights had been at the centre of public debate, both in the media and in the education system. Dozens of non-governmental organizations, working freely and without hindrance, had played a central role in promoting and protecting human rights. Lastly, a certain delegation which had praised itself for its impeccable human rights record should at least comply with the basic requirement to submit its reports under article 40 of the International Covenant on Civil and Political Rights. Its report was 14 years overdue.

34. **Mr. Tekle** (Eritrea) said that since Ethiopia had begun its systematic violation of the human rights of Eritreans and Ethiopians of Eritrean origin, it had deported close to 70,000 of them on ethnic grounds, confined 2,000 in harsh concentration camps, was responsible for the disappearance of 1,500 more and deprived 15,000 others of both jobs and housing without allowing them to emigrate. By and large, those facts had been corroborated by Amnesty International and Human Rights Watch. In addition, over 250,000 Eritreans had been internally displaced by the bombardment of villages, often aimed at civilian targets. The Ethiopian Government had, moreover, deliberately carried out a racist hate campaign against Eritreans, with a view to inciting ethnic violence.

35. Eritrea itself had not espoused any policy to deport or violate the human rights of Ethiopians in Eritrea. It was therefore morally indefensible for delegations speaking in the Committee to accuse both countries of similar violations, as Canada and Finland had done. It should be noted that the latest Joint Assembly of the European Union and the African, Caribbean, and Pacific States had adopted a resolution calling upon Ethiopia to accept and implement the Organization of African Unity (OAU) peace proposal and to prevent continued violation of the human rights of ethnic Eritreans in Ethiopia. The International Committee of the Red Cross (ICRC), as well, had publicly condemned Ethiopia's latest expulsions of Eritreans across hazardous territory as a violation of the Geneva Conventions. On the basis of an understanding reached with the ICRC President, Eritrea was planning to ratify all the relevant Geneva Conventions as soon as possible.

36. Rather than denying the expulsions, the Ethiopian Government simply claimed the right to order them. In the interests of justice and future relations between two neighbouring peoples, Ethiopia must be told in no uncertain terms that no nation had any such right. It was the international community's obligation to protect human rights in all corners of the world and in all nations, whether small or large. As expected, Ethiopia had rejected Eritrea's reiterated call for allowing United Nations human rights agencies to visit both countries to investigate the reciprocal charges of human rights violations. Yet the near total silence of the international community at Ethiopia's refusal had been dumbfounding. The Committee and the international community should insist also that Ethiopia stop holding the peace process hostage by refusing to accept the United Nations-endorsed OAU peace proposal, which alone would bring peace and stability to the region.

37. **Mr. Wille** (Norway) said that it was encouraging that human rights were a priority on the international agenda. Despite increasing unrest, violence and instability in several countries and disparities between as well as within States, the world community had the knowledge necessary to prevent such negative trends from gaining ground. International human rights instruments were important tools for building a world community based on the peaceful resolution of conflicts, freedom from poverty and respect for human rights. While no panacea, respect for human rights must be an integral part of any response to the challenges facing the world.

38. Each State had an obligation to ensure the respect of the human rights of every individual on the planet, and more could certainly be done to achieve that goal. For example, his Government would soon present a national plan of action on human rights to Parliament. At the international level, using human rights instruments as a basis, States could work together to improve the human rights situation by including human rights perspectives in United Nations activities, making the Commission on Human Rights more effective and efficient, assisting the relevant treaty bodies in streamlining and modernizing their work and allocating more resources to the Office of the High Commissioner for Human Rights.

39. Bilateral dialogue should be undertaken in the area of human rights, and civil society should also be more involved in the promotion and protection of human rights. The business community should also heed the call by the Secretary-General in 1998 to establish a global compact of shared values and principles. In Norway, employers, employees, non-governmental organizations, academic institutions and the Government were cooperating on the issue of human rights with a view to better policy development.

40. The family of nations must understand that human rights were no longer limited to only civil and political rights and that human development was no longer a simple question of economic growth. Civil, political, economic, social and cultural rights were mutually reinforcing, and the international community had a responsibility to ensure a holistic approach to the protection of human rights and the elimination of poverty, one of the most urgent human rights challenges. The international community must also work together to combat racism, and he welcomed the holding of the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance in South Africa. The rights of the child, the prevention of the sexual abuse of children and the use of child soldiers were also priorities.

41. The Convention on the Rights of the Child offered a clear framework for the protection of children. More attention needed to be paid to freedom of religion or belief, especially in resolving conflicts. He stressed his Government's commitment to the most fundamental of human rights, the right to life and condemned the death penalty, noting with concern that in some States it was used against juveniles and the mentally impaired. Human rights required a universal commitment to the dignity of every human being. Issues arising out of violations of international law could not be overlooked. His Government therefore believed that it was urgent to establish an effective international criminal court and intended to ratify the Rome Statute as soon as possible.

42. He noted with concern the persistence of conflicts and human rights violations throughout the world, *inter alia*, in Iraq, East and West Timor, Afghanistan, Myanmar, the Democratic Republic of the Congo, Rwanda, Eritrea, Ethiopia, Colombia, the Federal Republic of Yugoslavia, Serbia, Angola, Sierra Leone, Burundi, and the Sudan. His delegation called on all parties involved in conflict situations to seek a peaceful resolution to their disputes and ensure the protection of human rights for all in accordance with international human rights instruments.

43. Norway was involved in open and frank dialogue with several countries, which was always followed up by practical involvement in the field and stressed cooperation between non-governmental organizations, academic institutions, media and other civil society partners. Such dialogue did not however imply approval of a partner's human rights record and the objective was always the same: the defence of human rights. A recent round-table conference on human rights had been held with China, and he therefore expressed concern at the crackdown on dissidents, the use of the death penalty and restrictions on religious freedom there and underlined the importance of respect for the rights of the people of Tibet. A promising human rights dialogue had begun with Cuba, but he expressed concern at recent setbacks in the human rights situation in that country.

44. The Foreign Minister of Norway had recently visited Turkey as part of an ongoing bilateral dialogue on human rights. In that context, he stressed the need to protect the rights of the Kurdish population, but was encouraged by the deepening contacts between Turkish and Norwegian civil society. There were a number of promising developments in the human rights field. Human rights were universal and indivisible, and his delegation believed that the new millennium would see renewed efforts to implement such rights to the common advantage of mankind.

45. **Ms. Romulus** (Haiti) reaffirmed her delegation's conviction that the death penalty was an attack against human dignity and a violation of human rights. Research had shown that imposition of the death penalty did not in fact discourage crime, and she noted that the Haitian Constitution prohibited the death penalty. Her delegation opposed, however, attempts within the United Nations system and its development activities to link the abolition of the death penalty to United Nations assistance, and appealed for more sensitivity with regard to that issue.

46. **Mr. Bilman** (Turkey), speaking in exercise of the right of reply in response to the statement made by the representative of Norway, reaffirmed that his Government was committed to democratic institutions and to human rights and said that all Turkish citizens, whatever their ethnic, religious or cultural background, enjoyed the same rights.

47. **Mr. Jürgenson** (Estonia), speaking in exercise of the right of reply in response to the statement made by the representative of the Russian Federation, said that several fact-finding missions had been sent to Estonia by various international organizations such as the United Nations, the Organization for Security and Cooperation in Europe (OSCE), the Council of Europe and the Council of Baltic Sea States, to investigate the human rights situation within the framework of international assistance to his country after 50 years of Soviet occupation. None of those missions had uncovered any human rights violations and there had been no ethnic violence in the 10 years since independence.

48. He expressed concern about the human rights situation in the northern Caucasus where the population was the victim of an inhuman military campaign. He noted that the Organization for Security and Cooperation in Europe had declared that the actions of the Russian Federation in Chechnya had reached a level sufficient to warrant the concern of the international community and was dismayed that the Russian authorities had refused access to the territory by an OSCE fact-finding mission at a time when some 200,000 refugees were deprived of international assistance. It was regrettable that geopolitical realities had prevented the international community from recognizing the seriousness of the situation and from acting early to forestall a tragedy. Unfortunately, current international structures were not yet ready to take effective action in such cases.

49. **Ms. Barghouti** (Observer for Palestine), speaking in exercise of the right of reply in response to the statement made by Israel, said that her delegation was committed to the successful conclusion of the peace negotiations. The Palestinian people had been denied their most basic rights and fundamental freedoms under Israeli occupation and continued to suffer from the harsh living conditions arising therefrom. Israel continued to violate the rights of the Palestinian people through its repressive policies and practices. While it had dismantled a handful of illegal settlements, it had also sanctioned wide-scale construction of new settlements in occupied Palestine, including in Jerusalem (Al-Quds).

50. Israel continued to impede the free movement of the Palestinian people, through its apartheid-like policies and sought to alter the demographic and historical character of Jerusalem (Al-Quds) in order to establish a Jewish majority in that Palestinian city, systematically depriving Jerusalem Palestinians of their residency cards to that end. As for Israel's claim that 90 per cent of Palestinians lived under the Palestinian National Authority, both the West Bank, including Jerusalem (Al-Quds), and the Gaza Strip were still occupied territories. Israeli tanks could currently be found in the town of Ramalla and the surrounding area. Moreover, it was not possible to bring even a tin of baby milk powder into the West Bank or the Gaza Strip without the consent of the Israeli authorities.

51. The Israeli Government should take concrete action to implement the relevant Security Council resolutions, together with the provisions of the peace agreements that it had signed. The United Nations had an abiding responsibility to find a solution to all outstanding issues, insisting on a complete cessation of Israel's occupation of Palestinian territory, and assuring the Palestinian people their right to self-determination.

52. **Mr. Musenga** (Rwanda), speaking in exercise of the right of reply, expressed his indignation at the statement by the representative of Norway. He believed that the blame for the human rights situation should be put where it belonged and noted, for example, that a major war criminal had recently been released by the International Tribunal for Rwanda despite the objections of the Rwandan Government. He stressed that Rwanda was cooperating fully with the United Nations, the United Nations Development Programme (UNDP), the Office of the High Commissioner for Human Rights and other international organizations in the human rights area and wondered what more could be expected.

53. **Mr. Yu Wenzhe** (China), speaking in exercise of the right of reply, said that the representative of Norway had made inappropriate comments about China. Article 36 of the Chinese Constitution provided for freedom of religion and worship for all citizens. China had always paid great attention to the cultural traditions and human rights of

minorities, including Tibetans. His delegation believed that in the field of human rights, all countries should engage in dialogue on the basis of equality and mutual respect. While there had been a useful dialogue with Norway over the past year, his delegation was gravely concerned about its use of the United Nations to make accusations against China.

54. **Mr. Tekle** (Eritrea), speaking in exercise of the right of reply in response to the representative of Ethiopia, said that it was quite clear which country was committed to aggression, and which country was committed to peace. Both the President and the Prime Minister of Ethiopia had openly threatened to use force against Eritrea. While Eritrea had cooperated with OAU to bring about a peaceful solution to the conflict, Ethiopia had refused to sign the last document of the OAU peace package. Yet even at the current meeting, one delegation had chosen to brand Eritrea and Ethiopia together.

55. As to which of the two Governments was racist, he referred to the statement that he had made under agenda item 115. For the past 19 months, the Ethiopian Government had been making unverifiable allegations to create confusion so that a frustrated and uncaring world would end up blaming both Governments. Unfortunately, that tactic seemed to have worked. The Ethiopian Government would never allow an on-the-spot investigation by a third party because it knew full well what would be found.

56. It remained to be seen whether the international community was honestly interested in the truth about human rights in Ethiopia and Eritrea, and if so, whether it would make any real effort to investigate the situation and whether the Ethiopian Government was ready to join his Government in extending an invitation to a human rights investigating body. If that was not the case, the international community should draw the appropriate conclusions. Another tactic of the Ethiopian Government was to accuse his Government of committing violations and crimes which Ethiopia had committed or was about to commit. The truth, however, was immutable. For example, there was documentary evidence of Ethiopia's use of child soldiers, laying of landmines and employment of mercenaries.

57. **Mr. Basele** (Democratic Republic of the Congo), speaking in exercise of the right of reply in response to the representative of Norway, said that his delegation had indicated that his Government had taken steps to improve the situation of children and detainees and had requested assistance from the international community to carry out the necessary reforms. Those steps should be regarded as positive action in favour of human rights. The new millennium meant different things to different people. The international community should aspire to eliminate war and ensure freedom for all peoples, within secure borders. His Government looked forward to cooperation within the Great Lakes region, and to peace within its rightful borders.

58. **Mr. Zmeevski** (Russian Federation), speaking in exercise of the right of reply in response to the comments made by the representative of Estonia, said that, with regard to the situation in the northern Caucasus, his delegation's statement had clearly indicated who was violating human rights in that part of the Russian Federation and the dangers which arose as a result of those violations.

59. With regard to the human rights situation in Estonia, the Estonian representative's emotional statement had not changed his delegation's view that human rights violations and discrimination against Russians and other ethnic groups were continuing. It was significant that the human rights situation was going to be further investigated by the appropriate regional structures. His delegation hoped that the Estonian authorities would remedy the situation and implement the recommendations of the regional structures.

60. **Mr. Tessema** (Ethiopia), speaking in exercise of the right of reply, said that nationality was determined by the relevant national laws and pointed out that the persons deported from Ethiopia were Eritrean, regardless of their place of residence, because, by virtue of article 24 of Eritrea's referendum proclamation of 1992, they had opted for Eritrean nationality. They were Eritrean also in terms of an Ethiopian law under which anyone acquiring another nationality forfeited Ethiopian nationality. Thus, Ethiopia was not deporting its own nationals.

61. It should be noted, moreover, that the deportations were not being carried out solely on grounds of nationality, as the Eritrean delegation claimed. On the basis of ample evidence that Eritrea was clandestinely using Eritreans living in Ethiopia to advance its war of aggression and undermine Ethiopia's economy and national security, Ethiopia had done what was necessary to protect its national interests. That was legitimate both under international law and Ethiopian legislation governing the deportation of undesirable foreigners. Furthermore, when, after the deportation of those who had constituted security risks, Eritrea had protested, calling for family reunification, Ethiopia had agreed to deport their families as well.

62. With regard to the OAU peace proposal, Ethiopia had accepted it from the outset, just as it had earlier peace proposals. It was Eritrea that had refused to make peace, until its forces were defeated and driven from Ethiopian territory. OAU had proposed implementing modalities that included Eritrea's withdrawal from specified territories, and

in July, Eritrea had professed to accept them. The OAU current Chairman was supervising the technical arrangements, and the process was presumably under way. Ethiopia stood for peace. Eritrea, having invaded Ethiopian territory, was the one that had to reverse its aggression and withdraw.

63. **Mr. Tekle** (Eritrea), speaking in exercise of the right of reply, said, on the nationality issue, that the referendum proclamation alluded to by the Ethiopian delegation was based on the earlier Eritrean nationality proclamation, article 1 of which had stated that any person born to a parent of Eritrean origin, in Eritrea or abroad, was an Eritrean by birth, and that a person of Eritrean origin was any person resident in Eritrea in 1933. Obviously, neither the referendum proclamation nor the earlier nationality proclamation used the word "citizen", because citizenship or nationality could be conferred only after a State was formed, which had not been the case in Eritrea at the time of either proclamation. After the Eritreans living in Ethiopia had voted in the Eritrean referendum, they had nonetheless continued to hold Ethiopian passports, vote in Ethiopian elections, pay taxes and go to schools in Ethiopia. Surely, Ethiopia was not seriously claiming that the 70,000 Eritreans that it had deported had suddenly all been found to be spies.

64. **Mr. Al-Humaimidi** (Iraq), speaking in exercise of the right of reply, observed that Norway had simply repeated the allegations made by the Special Rapporteur on the situation of human rights in Iraq, which his delegation had already refuted. Norway would have done well to verify the information before taking it for the truth and repeating it in the Committee.

65. **Mr. Sriyono** (Indonesia), speaking in exercise of the right of reply, said, regarding the issue raised by Norway of East Timorese refugees in West Timor, that the Indonesian Ministry of Welfare was taking steps to ensure the safety of the refugees and provide them with sufficient food and safe passage and had already been working with international humanitarian organizations. His delegation asked all Member States to help promote a constructive dialogue.

*The meeting rose at 5.40 p.m.*